

FEB 12 2015

JAMES N. HATTEN, Clerk
By: [Signature] Deputy Clerk

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
Atlanta DIVISION

LMM

Clinton Melchisedec Keyton
(Print your full name)

Plaintiff *pro se*,

v.

Staples

Tamara Mattie, Alex Wolchesky

Lori Habermehl
(Print full name of each defendant; an
employer is usually the defendant)

Defendant(s).

CIVIL ACTION FILE NO.

1:15-CV-0429

(to be assigned by Clerk)

PRO SE EMPLOYMENT DISCRIMINATION COMPLAINT FORM

Claims and Jurisdiction

1. This employment discrimination lawsuit is brought under (check only those that apply):



Title VII of the Civil Rights Act of 1964, 42 U.S.C. §§ 2000e et seq., for employment discrimination on the basis of race, color, religion, sex, or national origin, or retaliation for exercising rights under this statute.

NOTE: To sue under Title VII, you generally must have received a notice of right-to-sue letter from the Equal Employment Opportunity Commission ("EEOC").

_____ Age Discrimination in Employment Act of 1967, 29 U.S.C. §§ 621 et seq., for employment discrimination against persons age 40 and over, or retaliation for exercising rights under this statute.

NOTE: To sue under the Age Discrimination in Employment Act, you generally must first file a charge of discrimination with the EEOC.

_____ Americans With Disabilities Act of 1990, 42 U.S.C. §§ 12101 et seq., for employment discrimination on the basis of disability, or retaliation for exercising rights under this statute.

NOTE: To sue under the Americans With Disabilities Act, you generally must have received a notice of right-to-sue letter from the EEOC.

_____ Other (describe) Discrimination & Retaliation

2. This Court has subject matter jurisdiction over this case under the above-listed statutes and under 28 U.S.C. §§ 1331 and 1343.

Parties

3. Plaintiff. Print your full name and mailing address below:

Name Clinton Mel Keyten
Address 4402 Alysheba dr
fairburn ga 30213

4. Defendant(s). Print below the name and address of each defendant listed on page 1 of this form:

Name Tamarah Mattie
Address 7701 Staples dr
Lithia Springs ga 30122

Name Alex Wolchesky
Address 7701 Staples dr
Lithia Springs ga 30122

Name Lori habermehl
Address 7701 Staples dr
Lithia springs ga 30122

Location and Time

5. If the alleged discriminatory conduct occurred at a location different from the address provided for defendant(s), state where that discrimination occurred:

6. When did the alleged discrimination occur? (State date or time period)

September 2013

Administrative Procedures

7. Did you file a charge of discrimination against defendant(s) with the EEOC or any other federal agency? ☒ Yes ☐ No

If you checked "Yes," attach a copy of the charge to this complaint.

8. Have you received a Notice of Right-to-Sue letter from the EEOC?

☒ Yes ☐ No

If you checked "Yes," attach a copy of that letter to this complaint and state the date on which you received that letter:

9. If you are suing for **age discrimination**, check one of the following:

_____ 60 days or more have elapsed since I filed my charge of age discrimination with the EEOC

_____ Less than 60 days have passed since I filed my charge of age discrimination with the EEOC

10. If you were employed by an agency of the State of Georgia or unsuccessfully sought employment with a State agency, did you file a complaint against defendant(s) with the Georgia Commission on Equal Opportunity?

_____ Yes

_____ No

_____ Not applicable, because I was not an employee of, or applicant with, a State agency.

If you checked "Yes," attach a copy of the complaint you filed with the Georgia Commission on Equal Opportunity and describe below what happened with it (i.e., the complaint was dismissed, there was a hearing before a special master, or there was an appeal to Superior Court):

11. If you were employed by a Federal agency or unsuccessfully sought employment with a Federal agency, did you complete the administrative process established by that agency for persons alleging denial of equal employment opportunity?

_____ Yes

_____ No

_____ Not applicable, because I was not an employee of, or applicant with, a Federal agency.

If you checked "Yes," describe below what happened in that administrative process:

Nature of the Case

12. The conduct complained about in this lawsuit involves (check only those that apply):

☐ failure to hire me
☒ failure to promote me
☒ demotion
☐ reduction in my wages
☐ working under terms and conditions of employment that differed from similarly situated employees
☒ harassment
☒ retaliation
☐ termination of my employment
☐ failure to accommodate my disability
☐ other (please specify) _____

13. I believe that I was discriminated against because of (check only those that apply):

☒ my race or color, which is Black
☐ my religion, which is _____
☒ my sex (gender), which is ☒ male ☐ female
☐ my national origin, which is _____
☐ my age (my date of birth is _____)
☐ my disability or perceived disability, which is: _____

☒ my opposition to a practice of my employer that I believe violated the federal anti-discrimination laws or my participation in an EEOC investigation

☐ other (please specify) _____

14. Write below, as clearly as possible, the essential facts of your claim(s). Describe specifically the conduct that you believe was discriminatory or retaliatory and how each defendant was involved. Include any facts which show that the actions you are complaining about were discriminatory or retaliatory. Take time to organize your statements; you may use numbered paragraphs if you find that helpful. Do not make legal arguments or cite cases or statutes.

I was wrongfully Demoted Because of Misuse of company policy. I also was not treated fair as a female who held the same position and status on the same Job title. I was also denied a promotion and interview for a position that I was eligible for Because of Race. I was Retaliated against for filing a lawsuit with the EEOC and was wrongfully written up and harassed. I was also a victim of Company Misuse of Policy.

(Attach no more than five additional sheets if necessary; type or write legibly only on one side of a page.)

15. Plaintiff ☒ still works for defendant(s)
☐ no longer works for defendant(s) or was not hired

16. If this is a disability-related claim, did defendant(s) deny a request for reasonable accommodation? ☐ Yes ☐ No

If you checked "Yes," please explain: _____

17. If your case goes to trial, it will be heard by a judge ☒ unless you elect a jury trial. Do you request a jury trial? ☒ Yes ☐ No

Request for Relief

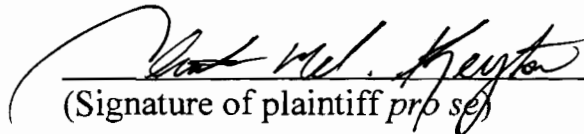
As relief from the allegations of discrimination and/or retaliation stated above, plaintiff prays that the Court grant the following relief (check any that apply):

- ☒ Defendant(s) be directed to follow company Policy
Reinstate Job title and Back pay
- ☒ Money damages (list amounts) 564,000
- ☒ Costs and fees involved in litigating this case
- ☒ Such other relief as may be appropriate

PLEASE READ BEFORE SIGNING THIS COMPLAINT

Before you sign this Complaint and file it with the Clerk, please review Rule 11 of the Federal Rules of Civil Procedure for a full description of your obligation of good faith in filing this Complaint and any motion or pleading in this Court, as well as the sanctions that may be imposed by the Court when a litigant (whether plaintiff or defendant) violates the provisions of Rule 11. These sanctions may include an order directing you to pay part or all of the reasonable attorney's fees and other expenses incurred by the defendant(s). Finally, if the defendant(s) is the prevailing party in this lawsuit, costs (other than attorney's fees) may be imposed upon you under Federal Rule of Civil Procedure 54(d)(1).

Signed, this 12 day of February, 20 15


(Signature of plaintiff *pro se*)

Clinton Mel. Keyton
(Printed name of plaintiff *pro se*)

4402 Alysheba Dr
(street address)

Fairburn ga 30213
(City, State, and zip code)

m. Keyton@hotmail.com
(email address)

678-760-5371
(telephone number)

GEORGIA MVD - RECEIPT (COPY)

STATE OF GEORGIA
MOTOR VEHICLE REGISTRATION

1GNFC13078R225260 - 2008 CHEV TAHOE C1500 MP

CLINTON M KEATON
2008 CHEV MP
1GNFC13078R225260
771287140147963
0014 01/16/2014 DLM
CASHSTANDARD TAG FEE
TOTAL FEES PAID20.00
20.00PURCH DT: 12/17/2013
APP DT: 01/16/2014

Tag Number:	PJC2892	Expires:	09/08/2014
Valuation	147628 \$6850	Tag Fee:	20.00
Title Number:	771287140147963	Equip. No:	
County: 001	District: 25	Mill Rate:	F
Farm Vehicle?	N	GVW:	Color: BLK/BLK
Classification:	ALT PASSENGER CAR/LIGHT TRUCKS		
Insurance Status:	VALID INSURANCE COVERAGE		
Customer 1 No:	000047911963	Customer 2 No:	

CLINTON M KEATON
4402 ALYSHEBA DR
FAIRBURN GA 30213-4392

59157663

Signature: _____

STATE OF GEORGIA
MOTOR VEHICLE REGISTRATION

1GNFC13078R225260 - 2008 CHEV TAHOE C1500 MP

ARTHUR E. FERDINAND
FULTON COUNTY TAX COMMISSIONER
5600 STONEWALL TELL RD
COLLEGE PARK GA 30349
(404) 730-6100CLINTON M KEATON
2008 CHEV MP
1GNFC13078R225260
771287140147963
0014 01/16/2014 DLMSTANDARD TAG FEE
TOTAL FEES PAID20.00
20.00

PURCH DT: 12/17/2013

Tag Number:	PJC2892	Expires:	09/08/2014
Valuation	147628 \$6850	Tag Fee:	20.00
Title Number:	771287140147963	Equip. No:	
County: 001	District: 25	Mill Rate:	Fuel: F
Farm Vehicle?	N	GVW:	Color: BLK/BLK
Classification:	ALT PASSENGER CAR/LIGHT TRUCKS		
Insurance Status:	VALID INSURANCE COVERAGE		
Customer 1 No:	000047911963	Customer 2 No:	

CLINTON M KEATON
4402 ALYSHEBA DR
FAIRBURN GA 30213-4392

59157663

Signature: _____

CASH

THIS IS NOT A BILL
THIS IS YOUR RECEIPT
*** RETAIN FOR TAX PURPOSES ***

EEOC Form 161 (11/09)

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

DISMISSAL AND NOTICE OF RIGHTS

To: **Clinton Keyton**
4402 Alysheba Drive
Fairburn, GA 30213

From: **Atlanta District Office**
100 Alabama Street, S.W.
Suite 4R30
Atlanta, GA 30303

☐

On behalf of person(s) aggrieved whose identity is
 CONFIDENTIAL (29 CFR §1601.7(a))

EEOC Charge No.

EEOC Representative

Telephone No.

410-2014-00467

Twanda L. Pressey,
Investigator

(404) 562-6862

THE EEOC IS CLOSING ITS FILE ON THIS CHARGE FOR THE FOLLOWING REASON:

☐

The facts alleged in the charge fail to state a claim under any of the statutes enforced by the EEOC.

☐

Your allegations did not involve a disability as defined by the Americans With Disabilities Act.

☐

The Respondent employs less than the required number of employees or is not otherwise covered by the statutes.

☐

Your charge was not timely filed with EEOC; in other words, you waited too long after the date(s) of the alleged discrimination to file your charge

☒

The EEOC issues the following determination: Based upon its investigation, the EEOC is unable to conclude that the information obtained establishes violations of the statutes. This does not certify that the respondent is in compliance with the statutes. No finding is made as to any other issues that might be construed as having been raised by this charge.

☐

The EEOC has adopted the findings of the state or local fair employment practices agency that investigated this charge.

☐

Other (briefly state)

- NOTICE OF SUIT RIGHTS -

(See the additional information attached to this form.)

Title VII, the Americans with Disabilities Act, the Genetic Information Nondiscrimination Act, or the Age Discrimination in Employment Act: This will be the only notice of dismissal and of your right to sue that we will send you. You may file a lawsuit against the respondent(s) under federal law based on this charge in federal or state court. Your lawsuit **must be filed WITHIN 90 DAYS of your receipt of this notice**; or your right to sue based on this charge will be lost. (The time limit for filing suit based on a claim under state law may be different.)

Equal Pay Act (EPA): EPA suits must be filed in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that **backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.**

On behalf of the Commission

Enclosures(s)

Bernice Williams-Kimbrough,
District Director

DEC 12 2014

(Date Mailed)

cc: **STAPLES, INC.**
c/o Erika A. Hickman
LITTLER MENDELSON, P. C.
333 SE 2nd Avenue
Suite 2700
Miami, FL 33131

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

DISMISSAL AND NOTICE OF RIGHTS

To: **Clinton Keyton**
4402 Alysheba Drive
Fairburn, GA 30213

From: **Atlanta District Office**
100 Alabama Street, S.W.
Suite 4R30
Atlanta, GA 30303



On behalf of person(s) aggrieved whose identity is
 CONFIDENTIAL (29 CFR §1601.7(a))

EEOC Charge No.

EEOC Representative

Telephone No.

410-2014-02994

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Investigator

(404) 562-6862

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The facts alleged in the charge fail to state a claim under any of the statutes enforced by the EEOC.



Your allegations did not involve a disability as defined by the Americans With Disabilities Act.



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